

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 93-81 (AS AMENDED)

Introduced by Council Member Heselton

Legislative Day No. 93-31 Date November 16, 1993

AN ACT to repeal and reenact with amendments, Section 256-45.3, Surcharge for Sewer Capital Project 6400, of Article V, Capital Charges, of Chapter 256, Water and Sewers, of the Harford County Code, as amended; to clarify ~~that only properties with existing uses located on them are eligible for~~ how and when the 20-year annual payment option for Sewer Capital Project 6400; ~~to specify how and when the option 6400 may be elected; to clarify the types of properties eligible for such an election;~~ and generally relating to Sewer Capital Project 6400.

By the Council, November 16, 1993

Introduced, read first time, ordered posted and public hearing scheduled  
on: December 21, 1993

at: 7:30 p.m.

By Order: James D. Vannoy, Acting Secretary

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on December 21, 1993, and concluded on, December 21, 1993

James D. Vannoy  
Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland, That Section 256-45.3, Surcharge for Sewer Capital Project 6400, of Article V, Capital Charges, of Chapter 256, Water and Sewers, of the Harford County Code, as amended, be, and it is hereby, repealed and reenacted with amendments, to read as follows:

Chapter 256. Water and Sewers.

Article V. Capital Charges.

Section 256-45.3. Surcharge for Sewer Capital Project 6400.

A. A surcharge is hereby established within the Harford County Sanitary District on every sewer connection which utilizes facilities constructed by Sewer Capital Project 6400 as follows:

(1) Three thousand three hundred twenty-five dollars (\$3,325.) per residential unit.

(2) Six thousand dollars (\$6,000.) per five-eighths-inch equivalent area connection charge for commercial, business or industrial connections.

B. The surcharge shall be paid [at the time of payment of the area connection charge.] AS FOLLOWS:

(1) Residential [lots] UNITS. The owner of each residential [lot] UNIT shall have the option of paying the Route 40 Joppa Sewer surcharge on an annual basis of \$233.00 per year for a term of twenty years as an alternative to the lump sum payment. The option to pay the charge for twenty years must be exercised [within three years of the

effective date of this Act, or for those properties with existing uses and not connected as of November 16, 1992, within three years after the system has been approved as operational and available for connection]:

(A) BY CONNECTING TO THE SYSTEM WITHIN 3 YEARS OF THE EFFECTIVE DATE OF COUNTY COUNCIL BILL NO. 93-81; OR

(B) FOR THOSE PROPERTIES WITH EXISTING PRIVATE SEWER FACILITIES AS OF THE EFFECTIVE DATE OF COUNTY COUNCIL BILL NO. 93-81 AND WITH NO AVAILABLE ACCESS TO THE PUBLIC SEWER SYSTEM AS OF THAT DATE, BY CONNECTING TO THE SYSTEM WITHIN 3 YEARS AFTER CONNECTION TO THE SYSTEM IS AVAILABLE FOR THE PROPERTY.

(2) Commercial, business or industrial [lots] UNITS. The owner of each commercial business or industrial [lot] UNIT shall have the option of paying the Route 40 Joppa Sewer surcharge on an annual basis of \$420.00 per year for a term of twenty years as an alternative to the lump sum payment. The option to pay the charge for twenty years must be exercised [within three years of the effective date of this Act, or for those properties with existing uses and not connected as of November 16, 1992, within three years after the system has been approved as

operational and available for connection]:

(A) BY CONNECTING TO THE SYSTEM WITHIN 3 YEARS  
OF THE EFFECTIVE DATE OF COUNTY COUNCIL BILL  
NO. 93-81; OR

(B) FOR THOSE PROPERTIES WITH EXISTING PRIVATE  
SEWER FACILITIES AS OF THE EFFECTIVE DATE OF  
COUNTY COUNCIL BILL 93-81 AND WITH NO AVAILABLE  
ACCESS TO THE PUBLIC SEWER SYSTEM AS OF THAT  
DATE, BY CONNECTING TO THE SYSTEM WITHIN 3  
YEARS AFTER CONNECTION TO THE SYSTEM IS  
AVAILABLE FOR THE PROPERTY.

(3) IN ORDER TO EXERCISE THE OPTION OF PAYING THE  
SURCHARGE ON AN ANNUAL BASIS FOR A TERM OF TWENTY  
YEARS, THE OWNER OF A RESIDENTIAL OR COMMERCIAL  
BUSINESS OR INDUSTRIAL UNIT SHALL CONNECT TO THE  
PUBLIC SEWER FACILITIES WITHIN THE 3-YEAR PERIOD  
REQUIRED BY THIS SUBSECTION AND SHALL BEGIN ANNUAL  
PAYMENTS ON JULY 1ST FOLLOWING THE DATE OF  
CONNECTION. THE OPTION OF PAYING THE SURCHARGE ON  
AN ANNUAL BASIS FOR A TERM OF TWENTY YEARS MAY BE  
EXERCISED ONLY AT THE TIME OF CONNECTION.

(4) IF THE OPTION TO PAY THE SURCHARGE ON AN ANNUAL  
BASIS IS NOT EXERCISED WITHIN THE TIME REQUIRED BY  
THIS SUBSECTION, THE LUMP SUM PAYMENT SPECIFIED IN  
SUBSECTION A OF THIS SECTION SHALL BE PAID AT THE  
TIME OF PAYMENT OF THE AREA CONNECTION CHARGE.

1           [(3)](5) Changes in use. The option to pay the Route  
2           40 Joppa Sewer surcharge on an annual basis or  
3           in one lump sum payment does not preclude  
4           additional Route 40 Joppa Sewer surcharge fees  
5           or other fees as adopted based on fixture count  
6           should a property's use change to increase the  
7           equivalent connected units.

8           C. The surcharge shall be in addition to any other charges  
9           [and/or] AND fees as provided for in THIS Chapter [256  
10          of the Harford County Code, as amended], and shall be  
11          determined in a manner consistent with Section 256-44 of  
12          [the Harford County Code, as amended] THIS CHAPTER.

13          D. [Residential] FOR THE PURPOSES OF THIS SECTION,  
14          "RESIDENTIAL" shall include but not be limited to each  
15          single-family detached, semi-detached, townhome,  
16          condominium and apartment dwelling.

17   Section 2.       And Be It Further Enacted, That this Act shall take  
18   effect 60 calendar days from the date it becomes law.

EFFECTIVE: March 8, 1994

93-81

AS AMENDED

HARFORD COUNTY BILL NO. 93-81 (AS AMENDED)(Brief Title) Water & Sewer Charge Options - Project 6400

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Vannoy  
Acting Secretary  
of the Council

[Signature]  
President of the Council

Date January 4, 1994

Date January 4, 1994

BY THE COUNCIL

Read the third time.

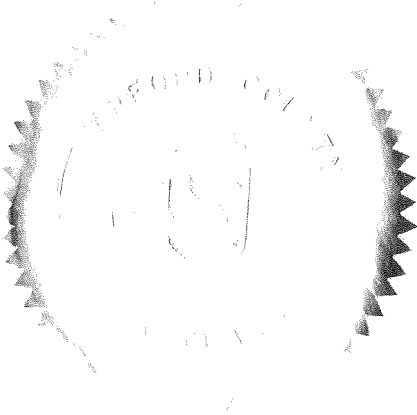
Passed: LSD 94-1 (January 4, 1994)

Failed of Passage: \_\_\_\_\_

By Order

James D. Vannoy  
Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this 5th day of January, 1994 at 3:00 p.m.



James D. Vannoy  
Acting Secretary

BY THE EXECUTIVE

Carlton M. Redman  
COUNTY EXECUTIVE

APPROVED: Date January 7, 1994

BY THE COUNCIL

This Bill (No. 93-81, as amended), having been approved by the Executive and returned to the Council, becomes law on January 7, 1994.

James D. Vannoy  
Acting Secretary

EFFECTIVE DATE: March 8, 1994

93-81

AS AMENDED